

**SOUTH DAKOTA DEPARTMENT OF EDUCATION AND CULTURAL AFFAIRS
OFFICE OF SPECIAL EDUCATION**

**Tri-Valley School District
Continuous Improvement Monitoring Process Report 2002-2003**

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This report contains the results of the steering committee's self-assessment and the validation of the self-assessment by the Office of Special Education. The report addresses six principles – General Supervision, Free Appropriate Public Education, Appropriate Evaluation, Procedural Safeguards, Individualized Education Program and Least Restrictive Environment. Each principle is rated based on the following scale:

Promising Practice	The district/agency exceeds this requirement through the implementation of innovative, high-quality programming and instructional practices.
Meets Requirements	The district/agency consistently meets this requirement.
Needs Improvement	The district/agency has met this requirement but has identified areas of weakness that left unaddressed may result in non-compliance.
Out of Compliance	The district/agency consistently does not meet this requirement.
Not applicable	In a small number of cases, the standard may not be applicable for your district/agency. If an item is not applicable, the steering committee should briefly explain why the item is NA. Example – no private schools within the district boundaries.

Principle 1 – General Supervision
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General supervision means the school district's administrative responsibilities to ensure federal and state regulations are implemented and a free appropriate public education is provided for each eligible child with a disability. The specific areas addressed in principle one are child find, referral procedures, children voluntarily enrolled by parents in private schools, students placed by the school district, improving results through performance goals and indicators (assessment, drop out, graduation), professional development, suspension and expulsion rates.

Steering Committee Self-Assessment Summary

Data sources used:

- Comprehensive plan for special education
- Student file reviews
- Surveys
- State assessment data
- State reported personnel data

Meets requirements

The steering committee noted the district has identified systems for receiving documented referrals. A survey was conducted of groups involved in the child find activities. In addition, the steering committee reviewed student files. File reviews, surveys, and documentation supported the district's referral procedures as specified through state regulations and school policies.

The steering committee found the district follows the state policies and procedures. They noted the presence of the comprehensive plan regarding the placement and services of students voluntarily enrolled by parents in private schools.

Relevant school data was used to analyze and review the district's progress toward the state performance goals and indicators. The steering committee concluded the district was working towards meeting the state performance goals and indicators. The committee also concluded the district follows the state guidelines for reporting of students suspended, expelled, or dropped out as per the reports required by the state regulations.

Table B of the district state report indicates the school district employs and contracts with personnel who are fully licensed or certified to work with children with disabilities. The steering committee determined the district assesses the local needs of personnel for improvement and plans their special education training needs according to areas of deficiency. They found the district also utilizes the comprehensive plan, local and state policies and regulations, and staff needs to fulfill the requirements for personnel development.

Needs improvement

The steering committee identified a need to implement a formal evaluation process for paraprofessionals and for the district to find more time for general education teachers to prepare for students with disabilities needs in the classroom.

Validation Results

Needs improvement

An area of concern noted by the review team was the identification of students with speech and language impairments. Data from the district's 2001 child count reflects that 2.9% of all students in the district were identified with a speech impairment. This compares to a statewide percent of 24.36% of all students in the state as being identified with a speech impairment. In interview with special education staff and administration, the review team was told the early childhood special educator was evaluating students for language disorders and also carrying out language-orientated goals for preschool-aged students. In addition, the review team found evidence that middle school students were working on articulation goals. While it is entirely possible a student may continue to present articulation problems into adolescence, the combination of an extremely low number of identified students at the preschool level brings forward the potential conclusion that students are not being identified properly early in their school experiences. As a result of failing to identify the student early, articulation errors are present and persist into adolescence. This presents the potential that remediation of such speech and language impairments will be ineffective or at a minimum, less successful than if the child was identified at an early age.

Principle 2 – Free Appropriate Public Education

All eligible children with disabilities are entitled to a free appropriate public education in the least restrictive environment. The specific areas addressed in principle two are the provision of FAPE to children residing in group homes, foster homes, or institutions, making FAPE available when a child

reaches his/her 3rd birthday and providing FAPE to eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative days.

Steering Committee Self-Assessment Summary

Data sources used:

- Comprehensive plan for special education
- Previous state monitoring

Meets requirements

Current practices and past reviews from the state and federal special education monitoring demonstrate the school district provides a FAPE for all children with disabilities. All information is available to the monitoring team to review for assurances of this statement

Validation Results

Meets requirements

The review team validated the results of the self-assessment and concurred that all areas under Free Appropriate Public Education are meeting requirements.

Principle 3 – Appropriate Evaluation

A comprehensive evaluation is conducted by a team of knowledgeable staff, which also includes parental input. A valid and reliable evaluation will result in effective individualized education programs for eligible students. The specific areas addressed in principle three are written notice and consent for evaluation, evaluation procedures and instruments, eligibility determination, reevaluation and continuing eligibility.

Steering Committee Self-Assessment Summary

Data sources used:

- Comprehensive plan for special education
- Student file reviews

Meets requirements

The steering committee indicated the district has knowledgeable staff to ensure a comprehensive evaluation. The self-assessment verified through file reviews that the IEP team considers evaluation or independent education evaluation findings and determines whether the child has a particular category of disability. The comprehensive plan contains the procedural requirement for reevaluations. The steering committee concluded the district ensures reevaluations are conducted in accordance with all procedural requirements.

Needs improvement

The steering committee identified that parents did not have consistently have input into the evaluation process. They noted 4% of files reviewed did not reflect parental input into the evaluation process.

Out of compliance

The steering committee identified that district is not ensuring that parents receive a copy of the evaluation report. They noted 4% of the files reviewed indicated the parent did not receive the evaluation report. The steering committee also identified that functional assessments of students were not being completed for use in program planning and IEP development. This was based upon the student file review data which reflected 36% of the files did not have evidence of functional assessment.

Validation Results

Meets requirements

The steering committee reported via the self-assessment that parents were not receiving evaluation results; however the onsite review team was unable to validate this concern. The review team found the district does provide evaluation results consistently to parents and documents the transmittal via the IEP document.

Needs improvement

The steering committee identified parental input in to the evaluation process as potential being in need of improvement. The review team validated that parental input is occurring; however documentation of the input is sometimes not consistently completed. The district indicated they have taken steps to address parental input and documentation of the input.

In addition to this concern, the review team also noted a need for improvement in the process used by the district to determine needed evaluation data. In interview with the early childhood staff, the review team heard staff were unclear regarding how to proceed with determining what evaluations to complete. The speech and language therapist was not included in the decision-making process and as a result, it appears students are not being evaluated in this area. As another example, a student was evaluated by a residential facility; however, the assessment was missing needed components to determine eligibility. The district expressed the expectation that the facility would know what to complete for evaluations.

Out of compliance

24:05:25:04. Evaluation procedures. School districts shall ensure, at a minimum, that evaluation procedures include the following:

- (1) Tests and other evaluation materials are provided and administered in the child's native language or by another mode of communication that the child understands, unless it is clearly not feasible to do so. Any standardized tests that are given to a child:
 - (a) Have been validated for the specific purpose for which they are used; and
 - (b) Are administered by trained and knowledgeable personnel in conformance with the instructions provided by their producer;
- (2) Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient;
- (3) Tests are selected and administered so as best to ensure that a test administered to a child with impaired sensory, manual, or speaking skills accurately reflects the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than the child's impaired sensory, manual, or speaking skills except where those skills are the factors which the test purports to measure;
- (4) No single procedure is used as the sole criterion for determining eligibility or an appropriate educational program for a child;
- (5) A variety of assessment tools and strategies are used to gather relevant functional and development information about the child, including information provided by the parents, that may assist in determining:
 - (a) Whether the child is a child with a disability; and
 - (b) The content of the child's IEP, including information related to enabling the child:
 - (i) To be involved in and progress in the general curriculum; or
 - (ii) For a preschool child, to participate in appropriate activities;
- (6) Technically sound instruments, assessment tools, and strategies are used that:
 - (a) May assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors; and

- (b) Provide relevant information that directly assists persons in determining the educational needs of the child;
- (7) The child is assessed in all areas related to the suspected disability, including, as applicable, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities;
- (8) The evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified;
- (9) Materials and procedures used to assess a child with limited English proficiency are selected and administered to ensure that they measure the extent to which the child has a disability and needs special education, rather than measuring the child's English language skills; and
- (10) If an assessment is not conducted under standard conditions, a description of the extent to which it varied from standard conditions (e.g., the qualifications of the person administering the test, or the method of test administration) must be included in the evaluation report.

The steering committee identified a lack of functional assessment during the course of student file reviews. The review team validated this as an area of noncompliance for the district. Administrative rules require that a variety of assessment tools and strategies are used to gather relevant functional and development information about the child, including information provided by the parents, to assist in determine whether the child is a child with a disability; and the content of the IEP for the child.

A series of student file reviews resulted in finding most students evaluated or reevaluated had not had functional assessment included in the evaluation process. In interview, district staff noted they were unaware of this particular requirement until this school year. The district offered training on functional assessment this year for staff. At this time, however, not all staff were expressing a complete understanding of functional assessment.

Principle 4 – Procedural Safeguards

Parents of children with disabilities have certain rights available. The school makes parents aware of these rights and makes sure they are understood. The specific areas addressed in principle four are adult student/transfer of rights, content of rights, consent, written notice, confidentiality and access to records, independent educational evaluation (IEE), complaint procedures, and due process hearings.

Steering Committee Self-Assessment Summary

Data sources used:

- Comprehensive plan for special education

Meets requirements

The steering committee stated the district ensures parents are informed of their parental rights under IDEA, and ensures the rights of a child are protected if no parent can be identified. The steering committee noted the district's comprehensive plan for special education contained policies and procedures for ensuring parents are fully informed in their native language or communication of all information for which consent is sought. The plan also includes the rights of parents to inspect and review all educational records concerning their child in the provision of a free and appropriate education. It also addresses the district's procedures for responding to compliant actions and requests for due process hearings.

Validation Results

Needs improvement

The review team noted the district has a practice of identifying tests to be given in the prior notice by the name of the test. In some situations, the team found the test given was not actually the test listed on the prior notice. In other cases, tests were given that were not listed on the prior notice. In interview, district staff indicated they typically listed the name of the test to be given. The review team recommends the district review their procedures for giving notice and obtaining consent for evaluations, to ensure that the prior written notice/consent does align to the planned evaluations.

Principle 5 – Individualized Education Program

The Individualized Education Program (IEP) is a written document for a child with a disability that is developed, reviewed and revised by the IEP team, which includes the parent. The specific areas addressed in principle five are IEP team, IEP content, transition components for secondary IEPs, annual reviews, transition from early intervention program, and IEP related issues.

Steering Committee Self-Assessment Summary

Data sources used:

- Comprehensive plan for special education
- IEP form
- Prior notice forms
- Student file reviews
- Staff surveys

Meets requirements

The steering committee stated the district has policies and procedures in place to ensure an appropriate IEP is developed and in effect for each eligible student. The committee felt transition services were being implemented appropriately in 94% of student files reviewed.

The committee also identified the district as utilizing an appropriate IEP format, containing the required content. They also concluded that written notices with the required content were given to all parents and/or guardians.

Needs improvement

The steering committee found that in 94% of the file reviews, transition plans are coordinated with the student's interests and skills. They also noted that 95% of employment and 94% of transition services were addressed in the student files reviewed. 94% of the files reviewed showed that related services were considered in order for the student to fully participate. Staff surveys indicated 92% of the staff had reviewed student IEPs.

Out of compliance

The steering committee noted the district does not do a careers survey for students with disabilities preference and interests to be used in the IEP. It also found that in 17% of student files reviewed, not all appropriate members were present at the IEP.

Validation Results

Promising practice

A promising practice identified by the review team was the development of self-advocacy skills for secondary-level special education students. A number of students have attended the Youth Leadership Forum for Students with Disabilities (YLF). YLF is a career leadership training program for high school juniors and seniors with disabilities to learn leadership, citizenship and social skills. In interview, the team heard and observed that these students were now leading their IEP team meetings and taking direct roles in the development of their educational programs. Special education staff reported that a positive effect was observed overall in student demeanor and in their active participation in their education.

Meets requirements

The review team found the district consistently ensures appropriate team membership at IEP meetings.

Needs improvement

The review team validated the district's self-assessment results regarding related services. The team concurs this is an area in need of improvement. As an example, a student identified as being emotionally disturbed did not have any counseling services identified in the IEP.

The team also validated the need to improvement ensuring staff are knowledgeable regarding their responsibilities in implementation of the IEP. In interview, district staff indicated an inconsistent approach to informing teachers of their responsibilities.

Out of compliance

24:05:27:01.03. Content of individualized education program. Each student's individualized education program shall include:

- (1) A statement of the student's present levels of educational performance, including:
 - (a) How the student's disability affects the student's involvement and progress in the general curriculum (i.e., the same curriculum as for nondisabled students); or
 - (b) For preschool student, as appropriate, how the disability affects the student's participation in appropriate activities;
- (2) A statement of measurable annual goals, including benchmarks or short-term objectives, related to:
 - (a) Meeting the student's needs that result from the student's disability to enable the student to be involved in and progress in the general curriculum; and
 - (b) Meeting each of the student's other educational needs that result from the student's disability;
- (3) A statement of the special education and related services and supplementary aids and services to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided for the student:
 - (a) To advance appropriately toward attaining the annual goals;
 - (b) To be involved and progress in the general curriculum in accordance with this section and to participate in extracurricular and other nonacademic activities; and
 - (c) To be educated and participate with other students with disabilities and nondisabled students in the activities described in this section;
- (4) An explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class and in activities described in this section;
- (5) A statement of any individual modifications in the administration of state or district-wide assessments of student achievement that are needed in order for the student to participate in the assessment. If the team determines that the student will not participate in a particular state or district-wide assessment of student achievement (or part of an assessment), a statement of:

- (a) Why that assessment is not appropriate for the student; and
- (b) How the student will be assessed;
- (6) The projected date for the beginning of the services and modification described in this section and the anticipated frequency, location, and duration of those services and modifications;
- (7) A statement of:
 - (a) How the student's progress toward the annual goals described in this section will be measured; and
 - (b) How the student's parents will be regularly informed (through such means as periodic report cards), at least as often as parents are informed of their nondisabled student's progress of:
 - (i) Their student's progress toward the annual goals; and
 - (ii) The extent to which that progress is sufficient to enable the student to achieve the goals by the end of the year;
- (8) For each student beginning at age 14 or younger if determined appropriate by the placement committee, and updated annually, a statement of the transition service needs of the student under the applicable components of the student's individualized education program that focuses on the student's course of study such as participation in advanced-placement courses or a vocational education program;
- (9) For each student beginning at age 16 or younger, if determined appropriate by the placement committee, a statement of the needed transition services, as defined in § 24:05:27:13.02, including, as applicable, interagency responsibilities or any needed linkages;
- (10) Beginning at least one year before a student reaches the age of majority under state law, the student's individualized education program must include a statement that the student has been informed of his or her rights under Part B of the Individuals with Disabilities Education Act, if any, that will transfer to the student on reaching the age of majority.

24:05:27:13.02. Transition services. Transition services are a coordinated set of activities for a student, designed within an outcome-oriented process, which promotes movement from school to postschool activities, including postsecondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities shall be based on the individual student's needs, taking into account the student's preferences and interests, and shall include instruction, related services, community experiences, the development of employment and other postschool adult living objectives, and, if appropriate, acquisition of daily living skills and functional vocational evaluation.

ARSD 24:05:27:01.03. Content of individualized education program requires that each student's individualized education program include a statement of the student's present levels of educational performance. This present levels statement must include how the student's disability affects the student's involvement and progress in the general curriculum. Student IEPs reviewed onsite contained statements of present levels of performance which did not consistently include how the student's disability affect their involvement and progress in the general curriculum. This compliance point links back to a lack of functional assessment, and thus, no connections are being made in the present levels of performance to the general curriculum.

In addition, the IEPs for student who are transition age (14 or older) did not consistently contain a course of study which was aligned to the student's transition service needs. Examples were seen in student IEPs that had incomplete listings of coursework. The IEP would list out required courses, but did not define what electives would be taken to assist the student in meeting their transition outcomes. Another concern is the IEP team only listed coursework for the current year, and did not address courses already completed in prior years, nor did it plan for future coursework.

For each student beginning at age 16 or younger, if determined appropriate by the placement committee, the IEP must contain a statement of the needed transition services. In accordance with ARSD 24:05:27:13.02. Transition services, these services must be based on the student's individual needs, taking into account the student's preferences and interests. The self-assessment completed by the district noted a lack of career surveys for students with disabilities to document their preferences and interests. The review team validated this as an area out of compliance. Assessments in the area of transition were not present in any student files reviewed onsite. As a result, the planning that is in place for transitioning to post-school outcomes cannot be a coordinated set of activities. The IEP transition plans in place often did not address all required areas (postsecondary education, employment, adult services, independent living, and community participation). Examples seen included statements that the team would address an area "at a later date" or areas requiring statements that were left blank.

Principle 6 – Least Restrictive Environment

After the IEP is developed or reviewed, the IEP team must decide where the IEP services are to be provided. Consideration begins in the general education classroom for school age students. The specific areas addressed in principle six are placement decisions, consent for initial placement, least restrictive environment procedures, preschool children, and LRE related issues.

Steering Committee Self-Assessment Summary

Data sources used:

- Comprehensive plan for special education
- Student file reviews

Meets requirements

The school district has policies and procedures in place for addressing the least restrictive environment (LRE) of students. Behavioral intervention plans have been written for students who require them.

Validation Results

Out of Compliance

ARSD 24:05:28:01. Least restrictive program to be provided. Children in need of special education or special education and related services shall be provided special programs and services to meet with individual needs which are coordinated with the regular educational program whenever appropriate. Removal from the regular educational classroom may occur only when the nature or severity of the child's needs is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

ARSD 24:05:28:03. Factors in determining placements. Each school district shall establish and implement procedures which ensure that the following factors are addressed in determining placements:

- (1) Each child's educational placement must be individually determined at least annually and must be based on the child's individual education program;
- (2) Provisions are made for appropriate classroom or alternative settings necessary to implement a child's individual education program;
- (3) Unless a child's individual education plan requires some other arrangement, the child shall be educated in the school which that child would normally attend if not disabled. Other placement shall be as close as possible to the child's home;

- (4) Placement in the least restrictive environment will not produce a harmful effect on the child or reduce the quality of services which that child needs; and
- (5) A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum.

The review team identified through interview and observation a student who was placed in an elementary resource room setting, although the student was actually fifteen years of age. Staff indicated the student was served in that setting primarily due to the space needs of the equipment utilized by the student. In addition, staff noted they had concerns about potentially dangerous situations that might arise if the student was served in the secondary special education resource room. A review of the student's justification for placement reflects a decision made based upon the current level of functioning of the student, the need for 1:1 assistance and a modified curriculum focusing on functional life skills. The student's plan did address opportunities for interaction with nondisabled peers during physical education, music and vocational training. In interview, however, the team found the student was not interacting with same age peers, but rather participated in the stated activities with elementary age students.